

Remarks

Claim 6 has been amended to address the alleged indefiniteness objection by adjustment of the language of element “e” to obviate any indefiniteness that may have been there previously. Applicant respectfully submits that upon reconsideration of claim 6 in its currently amended form, the examiner will find that claim 6 fully comports with 35 U.S.C. 112 and should withdraw the indefiniteness objection.

Claim 7 has been similarly amended to address the alleged indefiniteness objection and applicant believes that claim 7 as well, when considered by the examiner in its amended form, will be found to be allowable.

Claim 12 has been amended to eliminate the word “means” as suggested by the examiner; with this amendment applicant believes that claim 12 is no longer subject to an indefiniteness objection under 35 U.S.C. 112.

Claim 14 has been amended in the same manner as claim 12; applicant believes the same conclusion will flow respecting the allowability of claim 14 as a result.

Claim 16 has been amended to address the alleged indefiniteness; applicant believes that upon reconsideration of claim 16 in its amended form, the examiner will agree with applicant that claim 16 is no longer objectionable as being indefinite under 35 U.S.C. 112. Notification of the same is respectfully solicited.

Appropriate punctuation has been supplied for claim 22 as suggested by the examiner.

Claim 36 has been extensively amended to obviate the statutory double patenting rejection based on claim 28 of United States patent 6,467,943. Applicant respectfully

submits that upon reconsideration of claim 36 in its currently amended form, the examiner will withdraw the statutory double patenting rejection of claim 36.

Claims 37 and 38, depending from claim 36, have also been amended themselves. Applicant respectfully submits that when claims 37 and 38 are considered by the examiner in their currently amended form, the examiner will withdraw the statutory double patenting rejection of those claims.

Claims 39 and 40 have been cancelled.

Claim 41 has been amended to obviate the statutory double patenting rejection made with respect to claims 50 and 51 of United States patent 6,467,943. Applicant respectfully submits that when claim 41 is considered in its currently amended form, the examiner will withdraw the statutory double patenting rejection on the basis of claims 50 and 51 of U.S. patent 6,467,943.

Applicant has added the word “for” to claim 42 to further clarify that claim.

Respecting the double patenting rejection of claim 43 on the basis of claim 33 of U.S. patent 6,467,943 taken in view of the photographs of the Una-Dyn Gravimetric Blender, Circa 1993, applicant has amended claim 43 extensively to obviate the double patenting rejection, which applicant again traverses. Applicant respectfully submits that upon reconsideration of claim 43 in its amended form, the examiner will withdraw the statutory double patenting rejection and will find claim 43 to be allowable in its current form.

Claims 44, 45 and 46, all of which depend from claim 43 directly or indirectly, have been amended to obviate the 35 U.S.C. 112 indefiniteness objections raised by the

examiner. Applicant respectfully submits that the examiner will find claims 44, 45 and 46 to be allowable when considered in their currently amended form.

Claim 47 through 53 had been rejected by the examiner as being allegedly indefinite. While the official action is not clear as to the basis for the indefiniteness position taken by the examiner, undersigned counsel for the applicant believes a fair reading of the official action is that the examiner believes claims 47 through 53 were objectionable as being allegedly indefinite because those claims depended from preceding claims for which the examiner had entered an indefiniteness rejection. In light of the corrective amendments made to claims 43, 44, 45 and 46, which are the claims from which claims 47 through 53 depend directly or indirectly, applicant believes that upon the examiner reconsidering claims 47 through 53 in their unamended form, the examiner will find claims 47 through 53 to fully comport with 35 U.S.C. 112.

Concerning the amendments to the specification, applicant regrets that the amendments previously submitted did not match the text of the specification. Apparently, staff of undersigned counsel for the applicant did not proofread those amendments in sufficient detail and to the extent this caused any distress or inconvenience to the examiner, undersigned counsel apologizes for the same.

The amendments to the specification submitted herewith have been prepared and are submitted on the basis that all of the prior amendments to the specification made in the paper dated 12 July 2002 were defective; undersigned counsel respectfully submits that the amendments to the specification proffered herewith are believed to fully address all of the informalities in the specification as noted by the examiner in previous official action and are believed to obviate all of those objectionable informalities.

In light of the foregoing amendments and the discussion of the amendments to the specification and the claims, applicant respectfully submits that upon reconsideration of the application in view of all of this, the examining attorney will find the application to be in form for allowance. Notification of the same is respectfully solicited.

To the extent there is any fee required in connection with the receipt, acceptance and/or consideration of this paper and/or any accompanying papers submitted herewith, please charge all such fees to Deposit Account 50-1943.

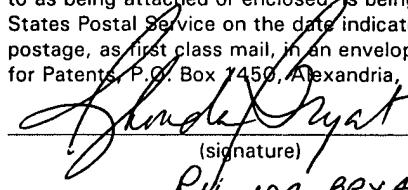
Respectfully submitted,

Date: 17 December 2003


CHARLES N. QUINN
Registration No. 27,223
Attorney for Applicant

Fox Rothschild, LLP
2000 Market Street, 10th Floor
Philadelphia, PA 19103
Tel: 215-299-2135
Fax: 215-299-2150
email: cquinn@foxrothschild.com



CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8(a)	
I hereby certify that this paper, along with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on the date indicated below, with sufficient postage, as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
 (signature)	
BY:	RHONDA BRYANT
DATE:	DECEMBER 17, 2003

